



**FREDERICK COUNTY GOVERNMENT**  
**OFFICE OF THE COUNTY EXECUTIVE**

Jan H. Gardner  
*County Executive*

Thursday, October 15, 2015

## **Frederick County Legislative Considerations**

### County Executive's Legislative Proposals

- 1) **School Construction Cost Share.** School construction costs have experienced a significant increase as a result of new state laws specifically prevailing wage and stormwater management regulations. The cost of Frederick High School increased by more than 25 percent and these cost increases are borne by local government. Thus, this legislative initiative would require a state cost share to cover school construction cost increases resulting from new state laws, mandated in regulations.
- 2) **Changes to the Maryland Public Ethics Law.** The County Ethics Task Force has recommended changes to the Maryland Public Ethics Laws that pertain to Frederick County.

Recommendation #1: Pendency: Extend to four years the time to prevent an elected official from receiving contributions and acting on a land use application if campaign contributions were received from the applicant.

Recommendation #2: Expand land uses covered by affidavit of disclosure/ownership filing.

Recommendation #3: Add to the definition of applicant prohibited from making campaign contributions to include the employees or agents of land use applicants.

- 3) **Local Government Tort Claims Act (LGTC) notifications.** Change MD. Code, Courts and Judicial Proceedings Article, 5-304(c) so Local Government Tort Claims Act (LGTC) notifications are provided to either the County Executive or County Attorney

### County Council's Legislative Proposals

- 4) **Vehicle Emissions Inspection Program Revisions.** Require used car sales in Maryland to conduct a vehicle emissions test prior to a car being sold or transferred.
- 5) **Frederick County Small Business Tax Credit.** Enabling authority for a Frederick County small business tax credit for Frederick County to have the ability to impose additional requirements for a small business tax credit. This credit would require a business to employ at least five individuals full time for at least a 24 month period, and the addition of 2,500 square feet of space.

## Civic Groups' Legislative Proposal

- 6) **Commission on Aging.** There are issues that may affect all seniors. Those include:
- a) Income tax subtraction modification for some of the retirement income of all individuals 70 and over, beyond the current focus on military retirement income
  - b) Tax credits for home improvements that facilitate aging in place; other bills that also promote the "villages" concept
  - c) Caregiver support through legislation in areas such as tax credits, employee leave policies, support for medical adult daycare and home-based personal services through a realignment of Medicaid Waiver funding
  - d) Annual, rather than one time, long term care insurance tax credit

## County Executive's Proposal for Position Statement

- 7) **Local Government Tort Claim (LGTC).** Maintain current Caps on local government tort claims. Oppose any efforts in the General Assembly to increase the liability caps or increase the window of claim reporting. Reference HB113, which increased the liability limits for a civil claim against a local government to \$400,000 per claimant from \$200,000. The cap per claim was also increased from \$500,000 to \$800,000. Individuals now have 365 days instead of 180 days to file a claim against a local government.

## County Council's Proposals for Position Statements

- 8) **Reduction/Elimination on MDE Fines.** Support of the Maryland Department of Environment Secretary's effort to reduce Departmental fines.
- 9) **Maryland as a Right to Work Jurisdiction.** Support Right to Work legislation to prohibit union security agreements, or agreements in Maryland between labor unions and employers, that govern the extent to which an established union can require employees' membership, payment of union dues, or fees as a condition of employment, either before or after hiring.
- 10) **Biological Agency Lab Tracking.** Support establishing a BioSafety Level 3 (BSL-3) Laboratory Safety Program within the Department of Health and Mental Hygiene (DHMH) and requiring DHMD to identify both BSL-3 laboratories in the state that do not work with federally regulated biological select agents and toxins or their products and their location.
- 11) **Fund and enhance OPERATION HIRE Maryland Veterans Program.** Support the funding for the MD Department of Veterans Affairs program "OPERATION HIRE MARYLAND" with a minimum of three (3) staff and program resources including website enhancement (\$250K to start). Support the expansion of joint partnerships with current local, state and federal agencies, non-profits and businesses to include (not limited to) Chambers of Commerce, Society for Human Resource

Management (SHRM), Wounded Warrior Project, and the VA Medical Centers. Purpose - Create a dynamic One Stop Shop for MD Veterans to connect with veteran friendly employers, reduce the daily suicide rate among Veterans, encourage economic development through attracting, hiring, training and retaining Veterans as employees and entrepreneurs; help Bridge the Gap between military service and civilian life through transition programs and mentors. (The Virginia Values Veterans (V3) program is an excellent working model, is funded at \$827k annually with 5 staffers by the Virginia Department of Veterans Services.) MD VA OPERATION HIRE is not currently funded.

### Civic Organizations' Proposals for Position Statements

#### **12) Frederick County Teachers Association (FCTA).**

- a) Support local control of the school start date. The start date for the county public schools should be determined by the local elected Board of Education not by the state legislature.
- b) Support full funding of the Education formula including GCEI. The withholding of GCEI money this current budget year had real consequences in Frederick County. The cuts the resulted in an increase to class size and a delayed step for employees.
- c) Support no changes to the charter school law specific to Frederick County or statewide. Maryland has a good charter school law that is fair and equitable. It allows the Board of Education to have oversight of all schools that are using public funds.

#### **13) Frederick County Commission For Women.** Request support for prior bills:

- a) Maryland Healthy Working Families Act
  - 2015 HB 385/ SB 40
  - Requires employers to allow employees a certain number of paid sick days
- b) Rape Survivor Family Protection Act (Akin's Law)
  - 2015 HB 503/ SB 78
  - Allows rape victims who become pregnant as the result of a rape to ask a court to end the parental rights of the rapist
- c) Women's Pay Equity Act
  - 2015 HB 1051/SB 424
  - Strengthens the state's Equal Pay for Equal Work Act
- d) Fair Scheduling Act
  - 2015 HB 969/SB 688
  - Helps ensure that employees get paid for their time and are provided adequate time to plan their work and family lives

**14) Commission on Aging.** Support for an increase in funding for the Commission on Aging

**15) Transportation Services Advisory Council (TSAC).** TSAC request support for more state funding for Paratransit transportation. The need for dialysis treatment is increasing and with it the need for transportation to this life-saving treatment. Currently, the cost of this transportation is born primarily on the County.